



Office of The Attorney General
State of Connecticut

**TESTIMONY OF
ATTORNEY GENERAL RICHARD BLUMENTHAL
BEFORE THE GENERAL LAW COMMITTEE
FEBRUARY 16, 2010**

I appreciate the opportunity to support House Bill 5137, An Act Concerning Home Improvement Subcontractor Liens.

This proposal prohibits the filing of a mechanics lien on the property of a homeowner by a subcontractor of a home improvement contractor if the homeowner has paid the contractor or if the homeowner is disputing the contractor's compliance with the terms of the contract.

Simply, homeowners who hire a home improvement contractor should not be placed in the middle of a dispute between that contractor and a subcontractor.

My office -- which has civil and criminal jurisdiction to enforce our home improvement contractor laws -- has received numerous complaints over the years from homeowners who find that a subcontractor has placed a lien on their property. Often, these homeowners are unaware that a subcontractor has a dispute over payment with the contractor.

As an example, one constituent paid a home improvement contractor \$22,000 to build a garage. The contractor performed some of the work but never completed the job. The homeowner must pay thousands of dollars more to complete the project but also had to deal with an \$8,000 mechanics lien by the lumber company which the contractor never paid even though the homeowner had given the contractor \$22,000.

The homeowner must either pay the \$8,000 or spend hundreds if not thousands of dollars in attorneys' fee to seek removal of the lien. This practice clearly adds insult to the injury of paying twice to complete the garage.

House Bill 5137 prohibits the filing of a mechanics lien in this situation. It will provide welcome relief to homeowners already struggling with unfinished work and unanticipated additional costs.

I urge the committee's favorable consideration of House Bill 5137.